

27th Annual Institute Bios

Robert H. Beatty, Jr.

Robert H. Beatty, Jr., is a former coal miner with ten years of underground mining experience. Mr. Beatty received his law degree from the West Virginia University College of Law in 1993. During his career in the mine safety and health area Mr. Beatty has served as General Counsel for the West Virginia Office of Miners' Health Safety and Training, and most recently served nearly seven years as a member of the Federal Mine Safety and Health Review Commission in Washington, D.C. Mr. Beatty is currently a Partner in the Morgantown, West Virginia office of Dinsmore & Shohl, LLP where his practice focuses on providing consulting and legal representation for mine operators in matters involving federal and state regulatory actions.

Timothy M. Biddle

Timothy M. Biddle is a senior partner at Crowell & Moring LLP in Washington D.C. Tim leads the firm's extensive federal mine safety and health counseling and litigation practice.

For 34 years Tim has been both a counselor to and litigator for mining companies that must comply with federal regulations covering safety and health conditions at their mines. He represents mining companies in contesting charges by U.S. Department of Labor Mine Safety and Health Administration (MSHA) inspectors of violation of safety and health regulations at mines, and in challenging attendant civil penalty assessments. He defends mining companies against miner discrimination and compensation claims and prepares, negotiates and, if necessary, litigates petitions for modification of safety standards. He challenges new MSHA regulations in federal courts of appeals. Tim often counsels companies and supervisors under investigation for knowing or willful (criminal) conduct connected with the occurrence of a violation, and if charges result, defends them in court. A major component of his practice is representing companies during MSHA and Congressional investigations of mine accidents. Tim also assists companies in making their views known during Congressional consideration of amendments to the Federal Mine Safety and Health Act.

Selected by his peers to be included in the 2006 edition of *The Best Lawyers in America*, Tim lectures and writes extensively on mine safety subjects. He is the author of the chapter on Federal Regulation of Mine Safety and Health in *The American Law of Mining 2d*, a multi-volume treatise on U.S. mining law. He has published several articles on mine safety and speaks frequently on mine safety law at industry and government conferences, including those sponsored by the Energy & Mineral Law and Rocky Mountain Mineral Law Foundations, *Mine Regulation Reporter*, the Mine Safety and Health Administration and the Federal Mine Safety and Health Review Commission. Tim often gives seminars on mine safety law for front-line mine supervisors.

Tim received his B.A. degree in History from Georgetown University and his law degree from Catholic University Law School, where he was selected as an Editor of the Law Review based on his academic performance. Tim is a member of the District of Columbia and Virginia bars and is admitted to practice in the United States Supreme Court and the United States Courts of Appeals for the District of Columbia, 3rd, 4th, 10th and 11th Circuits.

Robert L. Burns, Jr.

Robert L. Burns, Jr. is a senior attorney in the Pittsburgh office of Buchanan Ingersoll PC. He is a member of the firm's Real Estate Section and focuses his practice on environmental law and its intersections with development, commercial transactions, manufacturing, waste and natural resources issues, including coal, natural gas and other energy areas.

Before joining Buchanan Ingersoll, Robert was an associate in another Pittsburgh firm, where he provided environmental counseling, litigation and regulatory and compliance services regarding manufacturing, commercial transactions, financing, bankruptcy, real estate development, historic contamination, landfills, sewers and waste disposal issues. He also interpreted and applied various environmental laws including CERCLA, RCRA, HSCA, Clean Water Act, Clean Air Act, EPCRA and various state and local laws.

Prior to that, Robert was an associate in two West Virginia-based firms, where he provided environmental counseling, litigation and regulatory services regarding mineral transactions, coal, oil and gas issues, water and air quality, underground storage tanks, electricity deregulation, regulatory stakeholder meetings and disposal of solid waste. He also served as special counsel to the West Virginia Attorney General and the West Virginia Division of Environmental Protection from 1997-1998. After graduating from law school, Robert served as a judicial clerk to the Honorable Charles H. Haden, II, former chief judge of the U.S. District Court for the Southern District of West Virginia.

Active in civic activities, Robert is a member of the Engineers' Society of Western Pennsylvania, the Air and Waste Management Association and the American Institute of Aeronautics and Astronautics. He served as a mentor for the University of Pittsburgh School of Law's Environmental Law, Science and Policy Certificate Program. Robert is also a member of the American, Pennsylvania, West Virginia and Allegheny County Bar Associations.

Robert earned his J.D. degree from the West Virginia University College of Law in 1994, where he was a member of the Order of the Coif and the *West Virginia Law Review*. He earned a B.A. in English and a B.S. degree in aerospace engineering in 1991 from the Virginia Polytechnic Institute and State University. In 2000, he earned an M.S. degree in environmental engineering from Marshall University.

Robert is admitted to practice in Pennsylvania and West Virginia, as well as before the U.S. District Courts for the Southern and Northern Districts of West Virginia and the Western District of Pennsylvania, and the U.S. Court of Appeals for the Fourth Circuit.

Henry G. DeWitt

Henry “Hank” DeWitt is currently VP – Geoscience Eastern Division for Chesapeake Energy in Oklahoma City, OK. He is a recent resident of Edmond, OK after departing Anadarko Petroleum Corporation in The Woodlands, Texas following 24 years of service. He resigned from Anadarko as Project Geologist, where he was pursuing Natural Gas opportunities across North America.

Following his 1978 graduation from Colorado State University (M.S. Geology), his petroleum career initiated in Kingsville, Texas with Exxon, Co. USA as a Production Geologist developing oil and gas fields in South Texas, including the legendary King Ranch. Several years later he was employed with AMOCO, USA in Houston, Texas as an Exploration Geologist for the West Texas and SE New Mexico Operations Groups. His long tenure with Anadarko included both technical and management assignments including North America, SE Asia, and the Middle East. His career experiences have emphasized Unconventional Resource Type plays so dominant in the Natural Gas Industry today.

Mr. DeWitt is a Member of the AAPG, SEG, HGS and is a Certified Texas Petroleum Geologist #4138. He is married to Diane for over 25 years and their daughters Katie and Mallory both attend the University of Texas –Austin. The family is currently relishing the Longhorns recent National Championship.

Kevin K. Douglass

Kevin Douglass is a shareholder in the Litigation Services Group of Babst, Calland, Clements and Zomnir, P.C. He serves as vice-chairman of the Litigation Services Group, is a chairman of the firm's Associate Review Committee, and is coordinator of the firm's paralegals.

Mr. Douglass has two decades of experience litigating complex commercial litigation matters. He regularly represents clients in director/officer liability cases, restrictive covenant/trade secret matters, employment and other contract issues, shareholder and partnership disputes, leasing and real estate cases, product liability, as well as construction and environmental actions.

Mr. Douglass has served as lead counsel on cases in a wide variety of forums including the state, federal and bankruptcy courts of Pennsylvania, West Virginia and several other states. He also has participated in numerous forms of alternative dispute resolution including mediation, mini-trials and arbitration.

Notable cases litigated by Mr. Douglass include the successful defense of the former chief financial officer of a billion dollar entity in numerous cases, including class actions, in multiple forums. He obtained a 3.3 million dollar judgment, plus attorneys' fees, on behalf of a corporate officer in a complex contract action. In addition, Mr. Douglass secured the rare appointment of a corporate custodian after a protracted hearing in federal court exposing the corporate owners' fraudulent activities. He also obtained a punitive damage award for a client following a jury trial involving trade secret violations.

Mr. Douglass graduated *magna cum laude* from Mount Union College with honors in History in 1983. He earned his J.D. at Duquesne University School of Law in 1986 where he was a member of the Duquesne Law Review and served as an intern with Judge David W. Craig in Pennsylvania's Commonwealth Court.

Mr. Douglass is admitted to practice in both Pennsylvania and West Virginia, as well in the United States District Court for the Western District of Pennsylvania and the United States Court of Appeals for the Third Circuit. He has also been admitted pro hac vice in numerous state and federal courts.

Mr. Douglass is an active member of the Allegheny County, Pennsylvania and American Bar Associations. He is the immediate past chair of the Allegheny County Bar Association Court Rules Committee. Among his civic activities, Mr. Douglass is a Board member and Secretary of the British-American Business Council's Pittsburgh chapter. For the last three years, he also has served as co-chair of a wine tasting event benefiting Children's Hospital of Pittsburgh, which generated in excess of \$150,000 in 2005.

Edward M. Green

Edward M. Green is Counsel with the Washington, DC law firm of Crowell & Moring LLP where he specializes in regulatory and legislative matters affecting the mining and natural resources industries. Mr. Green's practice focuses on safety and health matters arising out of the Federal Mine Safety and Health Act of 1977 and the Occupational Safety and Health Act of 1970. He is especially expert on complex occupational health issues relating to respirable dust, diesel particulate matter, silica, other airborne contaminants, occupational noise exposure, and the approval and certification of respirators and mining machinery and equipment.

Mr. Green also advises mining industry and other clients on compliance issues relating to the regulation of explosive materials by the federal Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"). He also advises a variety of clients on compliance issues concerning the National Firearms Act and the Gun Control Act, and the complex regulations which implement those statutes. In addition to his regulatory and legislative practice, Mr. Green counsels non-profit organizations and trade associations. He is general outside counsel to such diverse organizations as the International Cyanide Management Institute and the U.S. Council for Landcare Initiative, Inc.

Before joining Crowell & Moring in 1993, beginning in 1970 Mr. Green was an attorney at the U.S. Department of the Interior specializing in mining issues. He drafted many of the mine safety and health regulations still in force today. From 1973 to 1975, he served as a special counsel to the Secretary of the Interior, charged with focusing on legal issues relating to the controversial bills being considered by the Congress that were ultimately enacted as the Surface Mining and Control and Reclamation Act of 1977. He received personal recognition for his efforts from President Richard Nixon. He then served as Special Assistant and Chief of Staff to the Administrator of the Mining Enforcement and

Safety Administration (predecessor of MSHA), receiving a citation for meritorious service from Interior Secretary Cecil Andrews for that work.

Mr. Green left government service in 1977 to join the American Mining Congress (a predecessor organization to the National Mining Association). At AMC he served as general counsel and secretary. Among his primary responsibilities at AMC were oversight of the Association's work on Executive Branch regulatory matters and management of AMC's extensive litigation program.

Mr. Green has spoken and written extensively on mining topics. He is a past president of the Energy & Mineral Law Foundation, and continues as a trustee of that organization. He received both his BA degree and his JD degree from Boston University under the University's Accelerated Combined Degree Program. Mr. Green is admitted to practice before several U.S. Courts of Appeals and in the District of Columbia.

Timothy W. Gresham

Timothy W. Gresham is a Shareholder/Director of Penn, Stuart & Eskridge in its Abingdon, VA office. He represents and advises clients in the areas of workers' compensation and occupational disease, mineral rights and regulations, as well as environmental and safety matters. Before joining PennStuart, Mr. Gresham served as Assistant Attorney General of Virginia involved in the enforcement of laws relating to the mining and oil and gas industries. He previously worked as staff counsel for The Pittston Coal Group.

Mr. Gresham is active in the Energy & Mineral Law Foundation, serving as President for 2004-2005, and on the Board of Trustees and Executive Committee. Mr. Gresham has made numerous seminar and conference presentations concerning mineral and environmental law and regulation. He has also published articles relating to mineral and environmental law topics in the Journal of Mineral Law & Policy, West Virginia Law Review and the Annual Proceedings of the EMLF. He received his B.A. in 1976 from Morehead State University and his J.D. in 1979 from the University of Tennessee College of Law and is licensed in Tennessee and Virginia.

Mark E. Heath

Mark is a member of Spilman Thomas & Battle PLLC and a native of Stephensburg, Kentucky. His primary areas of practice are safety issues (OSHA and MSHA), labor and employment law, litigation, and environmental law. He served as a captain in the U.S. Judge Advocate General's Corps, where he concentrated on labor and administrative law and military justice. Mark is an experienced speaker and presenter for energy and safety law issues. He received his B.A. from Western Kentucky University in 1983. He earned his J.D. from the University of Kentucky in 1986. Mark is a member of the West Virginia State Bar and the Kentucky State Bar. He is admitted to the West Virginia Supreme Court of Appeals, Supreme Court of Kentucky, U.S. District Courts for the Northern and Southern Districts of West Virginia and the Eastern District of Kentucky, U.S. Court of Appeals for the Fourth and Sixth Circuits, and the United States Supreme Court.

Jeffrey D. Jarrett

Jeffrey D. Jarrett is the Assistant Secretary of Energy for the Office of Fossil Energy. The 10th person to hold the post, Jarrett was confirmed by the Senate on December 17th. Jarrett's formal induction to office was a first order of business for the department's new calendar year. The office Jarrett heads is charged with ensuring the nation's readiness to respond to short-term energy disruptions and with conducting technology research, development and demonstration programs that will enable the best use of abundant reserves of coal, oil and natural gas.

Specific responsibilities are management of the Strategic Petroleum Reserve, of the Home Heating Oil Reserve, of technology development to improve oil and gas production and of the \$2 billion President's Coal Research Initiative, which includes the \$950 million FutureGen Program to create a prototype zero-emissions energy center for this century. It will be capable of producing electricity, low-carbon liquid fuels, hydrogen and other by-products from coal while eliminating pollutants and capturing carbon dioxide for geologic sequestration.

Jarrett's career blends executive experience in federal government, state government and industry. The Fossil Energy appointment is his second in the Bush Administration. He was Director of Surface Mining and Reclamation Enforcement in the Department of the Interior, a job also requiring Senate confirmation, from 2001 through 2005. Before that he was the Deputy Director of the Pennsylvania Department of Environmental Protection for Mineral Resources Management and, earlier, the same agency's Director of District Mining Operations. He was the Office of Surface Mining's Deputy Assistant Director of Program Operations in the late 1980s and early 1990s.

In industry, Jarrett was director of planning, division manager and reclamation director for the Cravat Coal Company and, earlier, reclamation supervisor for The Drummond Company. A native of West Virginia, Jarrett holds a B.S. degree in Human Resource Management from Geneva College of Pennsylvania, and an A.A.S. degree in Land Stabilization and Reclamation from Belmont Technical College, of Ohio. He and his wife Janet Goodwin have two children, Sarah and Tyler.

Daniel L. Kesten

Dan Kesten is an attorney in the Tax, Trusts & Estates department of Greenberg Traurig, LLP, resident in the firm's New York office. He received his Juris Doctor from the University of Kentucky College of Law and his LL.M. (Taxation) from New York University School of Law.

Mr. Kesten began his legal career in the Lexington, Kentucky office of a regional law firm. While there, he regularly assisted clients with issues related to the Section 29 tax credit for non-conventional source fuels and other tax issues common to clients in the coal industry. Mr. Kesten was also a frequent speaker on the topic, and authored "Section 29 Tax Credit for Synthetic Fuel from Coal," 21 *Energy & Min. L. Inst.* ch. 11 (2001).

In 2001, Mr. Kesten relocated to New York and joined the international law firm of Greenberg Traurig. In New York, the primary focus of Mr. Kesten's practice shifted to estate planning and estate administration for high and ultra high net worth individuals. However, he continues to represent clients in the energy sector who pursue various federal tax credits, both in matters before the Internal Revenue Service and in contractual matters between private parties. Mr. Kesten is admitted to practice in New York, Kentucky, and the United States Tax Court.

Professor Bruce M. Kramer

Bruce M. Kramer is the Maddox Professor of Law at the Texas Tech University School of Law. He received a B.A. in International Relations from U.C.L.A. in 1968, a J.D. from U.C.L.A. School of Law in 1972 and an LL.M. degree from the University of Illinois College of Law in 1975. He has been teaching at Texas Tech University School of Law since 1974 and has been the Maddox Professor of Law since 1992. He is the co-author of *The Law of Pooling and Unitization* (3d ed.), *Williams & Meyers Oil and Gas Law* (since 1996), *Williams and Meyers Manual of Oil and Gas Terms* (10th, 11th and 12th editions), and *International Petroleum Transactions* (2d ed.). He is also the author of numerous law review articles on oil and gas law. Professor Kramer has spoken at over 50 continuing legal education programs sponsored by such organizations as Energy and Mineral Law Foundation, Rocky Mountain Mineral Law Foundation, Center for American and International Law, State Bar of Texas, University of New Mexico College of Law, American Association of Petroleum Landmen and the National Association of Division Order Analysts. He has been an editor of the *Oil and Gas Reporter* since 1985 and has been the Administrative Editor of the *Reporter* since 2003.

J. Thomas Lane

Tom Lane is a partner with Bowles Rice McDavid Graff & Love LLP, Charleston office. He is a member of the firm's Executive Committee and the Energy Practice Group. He practices primarily in the areas of natural resources, coal, oil and gas, commercial real estate, zoning and land development, as well as litigation cases involving these areas. He also engages in lobbying and government relations, particularly on issues affecting the mineral industry.

As the Robert T. Donley Adjunct Professor of Law at the West Virginia University College of Law, Tom teaches a course in Coal, Oil and Gas (1986-2006). He has compiled a teaching text on Coal, Oil and Gas and has published numerous articles, including "Rights-of-Way and Easements in Mineral Development," "Maintaining Oil and Gas Leases in Distressed Markets," "West Virginia Ad Valorem Property Taxes," and "Fire in the Hole to Longwall Shears, Old Law Applied to New Technology."

Tom is President of the Charleston City Council where he has been an elected member since 1987. He serves on the key committees of the Council, is involved in various special projects from homeless shelters to public safety and has organized and oversees task forces to carry out a City plan on comprehensive improvements. Tom is active in a variety of church, civic and charitable endeavors.

Tom is Trustee and past President of the Energy & Mineral Law Foundation and past President and Chairman of the Executive Council of The West Virginia Bar Association. He is also the Chairman of the Charleston Land Trust. An owner of a land development company, Tom is involved in land development, construction and rental. His favorite pastime is landscaping and gardening, and he would rather work on his tractor than watch football. Time on the tractor competes, however, with tennis. Tom is an avid player with a 4.0 NTRP rating. He competes in many local and regional tournaments. In his spare time, Tom likes to work on cars and has on occasion restored an old Porsche or two. As a private pilot, Tom likes to travel by plane.

Tom received his B.A. degree in 1968 from Washington & Jefferson College and his J.D. degree in 1973 from West Virginia University. He served in the United States Army (1969-1971), and was a Law Clerk to the Honorable John A. Field Jr., United States Court of Appeals, Fourth Circuit (1974-1975). Since 1989, Tom has been listed in *The Best Lawyers in America* by Woodward/White, Inc.; he has an AV rating with Martindale-Hubbell; and he is listed in "Chambers USA: America's Leading Business Lawyers."

David D. Lauriski

David D. Lauriski joined John T. Boyd Company to enhance the Health & Safety consultation services they have been providing since 1943. David is located in the Denver, Colorado, office.

As Assistant Secretary for the U.S. Department of Labor (Mine Safety and Health Administration - MSHA) prior to joining John T. Boyd Co., David has been responsible for protecting the health and safety of miners. Prior to his 3½ years of service with MSHA, he spent 30 years in the coal mining industry focusing on safety for much of his career. At the time of his leaving "active operations" in 1999, David was the General Manager of Energy West Mining Company. Under his leadership, Energy West was recognized for its position as one of the largest underground coal producers in the United States and, more importantly, as one of the safest companies in the industry.

David is recognized throughout the United States for his leadership skills in safety management. The United States mining industry selected him to represent its interest in Geneva, Switzerland, at the International Labor Organization during development of worldwide mine health and safety standards. The culmination of his work was the U.S. Senate's ratification of Convention 176 in September 2000.

David has served as Chairman of the Utah Board of Oil, Gas, and Mining; a board member of the Utah Mining Association; Chairman of the Coal Mine Safety Committee for the former American Mining Congress; and Chairman of the Safety Committee for the Utah Coal Operators.

Professor Fredric Lederer

Fredric I. Lederer is Chancellor Professor of Law and Director of Courtroom 21 at the College of William & Mary's School of Law. He received his B.S. from Polytechnic University in New York and his J.D. from Columbia University Law School where he was a member of the Board of Editors of the Columbia Law Review and recipient of the Archie O'Dawson prize (which provided for study with judges at each of the three levels of the federal courts, including Justice Harlan of the Supreme Court). He holds an LL.M. from the University of Virginia. His post-graduate work includes a year as a Fulbright-Hayes Scholar in Freiburg, Germany. He served as a member of the United States Army's Judge Advocate General's Corps until 1980 when he joined the William & Mary faculty. He has served as prosecutor, defense counsel, and trial judge.

Professor Lederer's areas of specialization include evidence, trial practice, criminal procedure, military law, and legal technology. He is one of the founders of the ABA prize winning Marshall-Wythe Legal Skills Program in which all students spend two years in practice (simulated) law firms in which they learn professional ethics, legal research and writing, interviewing, negotiation, alternative dispute resolution, and basic trial and appellate practice – much in the form of simulated client representation. Professor Lederer is the author or co-author of eleven books, numerous articles, two law related education television series, and is the author of a popular series of "fairy-tale" trials for elementary and middle school students. Among his works in progress is An Introduction to Basic Advocacy and Litigation in a Technological World. Professor Lederer is also the founder and Director of Courtroom 21, "The Courtroom of the 21st Century Today," the world's center for courtroom and related technology which includes in the law school's McGlothlin Courtroom, the world's most technologically advanced courtroom.

Fred MacDonald

Fred MacDonald is a shareholder and a managing director of the Salt Lake City law firm of PruittGushee, a Professional Corporation. He received his B.S. in Engineering from Purdue University in 1983 and his J.D. from the Valparaiso University School of Law in 1986. While in law school, he was a recipient of a scholarship from the Eastern Mineral Law Foundation, and he appreciates this opportunity to give something back to the Foundation. He joined his current firm upon graduation and has since primarily concentrated his practice in oil and gas law, including title examination of Federal, fee, State of Utah and Indian lands, coalbed methane development, unit formation and operation, and administrative practice before the Utah Board of Oil, Gas and Mining and U.S. Interior Board of Land Appeals. He is a member of both the Utah and American Associations of Professional Landmen, and served as chairman of the Utah State Bar's Natural Resource Section from 1997-1998. Fred is actively involved with the Rocky Mountain Mineral Law Foundation, serving on the faculty of the Federal oil and gas leasing short course and as a trustee-at-large. Fred is the author of *Coalbed Methane Units: Making the Square Peg Fit the Round Hole*, Regulation and Development of Coalbed Methane, Paper No. 7 (Rocky Mt. Min. L. Fdn. 2002). He also served on the AAPL's Coalbed Methane Joint Operating Agreement task force. Originally hailing

from Detroit, Fred has a passion for Motown music and considers himself Utah's most rabid Red Wings fan.

Robert G. McLusky

Bob McLusky is a member in the Charleston, West Virginia office of Jackson Kelly PLLC. He is a graduate of Colgate University and a 1981 graduate of Washington and Lee University School of Law, where he served as an editor of its law review. He is a past president of the Energy & Mineral Law Foundation for 2001-2002. Publications include: Co-Author: "Valley Fills and the Clean Water Act: The Strate Confluence of the Clean Water Act and SMCRA in *Bragg v. Robertson*," published in the 20th Annual Energy & Mineral Law Foundation Proceedings, 1999; Co-Author: "Recent Permitting and Enforcement Measures to Combat Acid Mine Drainage – Are They in Contravention of SMCRA?," 17th Annual Eastern Mineral Law Institute Proceedings, 1996; "Citizens' Suits Under Selected Environmental Statutes," West Virginia University Continuing Legal Education (February, 1990); "West Virginia Regulation of Subsidence," Eastern Mineral Law Special Institute on Coal Mine Subsidence (December 1989).

R. Cordell Pierce

Cordell Pierce is an associate in the Lexington office of Wyatt, Tarrant, & Combs, LLP. He primarily practices within the firm's mineral and energy and general business practice groups. Cordell graduated *cum laude* from the University of Kentucky in 2001. He received his J.D. from West Virginia University in 2005 where he graduated Order of the Coif. While in law school, Cordell served as the Chairman of the ethics committee and also served as the Executive Notes and Comments Editor of the West Virginia Law Review. He is author of "Making a Statement Without Saying a Word: What Implied Covenants 'Say' When the Lease Is 'Silent' on Post-Production Costs," 107 *West Virginia Law Review* 295 (2004). Cordell also co-authored an article on mine closure for the ABA Mining Committee with Joseph J. Zaluski and Lesly A.R. Davis. Cordell has been a member of the Energy & Mineral Law Foundation since he was in law school. He received the Paul N. Bowles Scholarship from the Energy and Mineral Law Foundation in 2003, and was the recipient of an Energy and Mineral Law Foundation scholarship in 2004. Cordell is currently in his third year as the Research Editor for the Energy and Mineral Law Foundation's Annual Institute publication. As part of Wyatt's commitment to the Energy and Mineral Law Foundation, Cordell was able to serve as the Research Editor to fulfill his pro bona hours for the firm. Cordell is a member of the Fayette County, Kentucky, and American Bar Associations.

Steven Quarles

Steve Quarles is chair of the natural resources and environmental law group of Crowell & Moring LLP, Washington, D.C. His practice includes litigation, counseling, and legislative representation for a wide range of forest products, mining, agricultural and land development associations and companies, and state and local governments. Mr. Quarles represents clients in federal courts in a majority of the federal circuits and the Supreme Court. He is litigation counsel to the national trade associations for, and many member companies in, the forest products, homebuilding, pesticide and fertilizer

manufacturing, livestock production, and other industries on Endangered Species Act, Clean Water Act, National Environmental Policy Act, and other environmental issues. Mr. Quarles argued successfully on behalf of the petitioner before the Supreme Court in *Ohio Forestry Association v. Sierra Club*, 118 S. Ct. 1665 (1998), in which a unanimous Court ruled that federal courts lack jurisdiction to hear most lawsuits against national forest plans.

Mr. Quarles served as Deputy Under Secretary of the Department of the Interior and Director of the Department's Office of Coal Leasing, Planning, and Coordination. He also was special counsel to the Committee on Energy and Natural Resources of the United States Senate and chief counsel for its Public Lands and Resources Subcommittee. He served on the advisory committee to the Bush-Cheney Interior Transition Team. Mr. Quarles also was a member of the Board of Mineral and Energy Resources of the National Academy of Sciences and of the National Research Council's Committee on Onshore Oil and Gas Leasing (established by the Federal Onshore Oil and Gas Leasing Reform Act) and Committee on Abandoned Mine Lands, and has served as a peer reviewer for reports of several other NRC committees.

Mr. Quarles graduated from Princeton University and Yale Law School. He received a Fulbright Scholarship to Aligarh Muslim University, India. Prior to his government service, Mr. Quarles was a program coordinator for the Ford Foundation in Rio de Janeiro, Brazil.

Among the publications Mr. Quarles has co-authored are the chapters on access to public lands in *The Natural Resources Law Manual*, (1995) and the law of wildlife "take" in *The Endangered Species Act Deskbook* (2002), of the ABA, and "Sweet Home and the Narrowing of Wildlife 'Take' Under Section 9 of the Endangered Species Act," 26 *Envtl. L. Rep.* 10003 (Jan. 1996); "The Supreme Court Restricts the Availability of Forest-Wide Judicial Review in *Ohio Forestry Ass'n v. Sierra Club*," 28 *Envtl. L. Rep.* 10621 (Nov. 1998), and "The Pronounced Presence and Insistent Issues of the Endangered Species Act," 16 *Nat. Res. Env't*, 59 (Fall 2001). Mr. Quarles also published papers on Federal Land Exchanges and Mineral Development and Critical Habitat: Current Centerpiece of Endangered Species Act Litigation and Policymaking in the annual volume of the Rocky Mountain Mineral Law Foundation.

Mr. Quarles is licensed in the District of Columbia and the state of New York and is a member of the D.C., New York, Federal, and American Bar Associations. He is listed in the current edition of *Best Lawyers in America*, *Who's Who in American Law*, and *Who's Who in the World*.

Larry J. Rector

Larry Rector is an attorney at Steptoe & Johnson in Clarksburg, WV. Larry has focused his practice in the area of labor and employment law. In addition to counseling clients, Mr. Rector has an active trial and appellate practice. He is licensed to practice in West Virginia, the District of Columbia, Kansas, Missouri, Pennsylvania, and Texas state

courts and numerous federal district and appellate courts including the United States Supreme Court.

Mr. Rector has defended employment discrimination claims of race, gender, age, handicap, religion, and national origin in the state and federal courts in West Virginia as well as the West Virginia Human Rights Commission. In addition, he has investigated and defended numerous workplace harassment claims including sexual harassment claims. Mr. Rector has defended claims for breach of contract, retaliatory discharge, defamation, invasion of privacy, tort of outrage, and the various other employment related torts.

Mr. Rector has also represented clients in wage and hour audits and has tried claims to a jury involving employee classification, minimum wage and overtime pay issues. These cases have included national class actions and collective actions under the FLSA. He has defended numerous personal injury and wrongful death cases involving workplace accidents, including, among others, the following industries: underground coal mining, oil and gas production and transmission, forest products, transportation, electrical power generation, retail establishments, mental health providers and petroleum product refineries. Mr. Rector has defended targets of investigations brought by the United States Attorney for presentation to federal grand juries and the Mine Safety and Health Administration's Special Investigation Unit. Mr. Rector has also defended corporations and individuals before the West Virginia Office of Miners' Health Safety and Training.

Mr. Rector, a former federal circuit court law clerk, has handled numerous appellate matters in the West Virginia Supreme Court of Appeals, as well as the Federal Courts, including an amicus curiae brief in the United States Supreme Court. In addition, Mr. Rector has coached the West Virginia University's National Moot Court team annually since 1994. Mr. Rector is also regularly requested to assist other attorneys within the firm in the preparation of substantive motions to be presented to trial judges and appellate courts.

Within the community, Mr. Rector is the Chair of the Board of Directors for the Pricketts Fort Memorial Foundation and he is a member of the Harrison County Chamber of Commerce. Mr. Rector completed Leadership Harrison in 2002. Mr. Rector has been the Editor of the monthly West Virginia Employment Law Letter, a national publication, since 1995. Mr. Rector has regularly addressed professional organizations and clients in the areas of labor and employment law and has lectured at the West Virginia University College of Law. Mr. Rector is the only West Virginia member of the National Employers Counsel Network, a national group comprised of management-side attorneys. Mr. Rector is also recognized in *The Best Lawyers in America* in the field of labor and employment law.

Mr. Rector received his legal education at the University of Nebraska, with high distinction, and was inducted into the *Order of the Coif*. He was the Executive Editor of the *Nebraska Law Review* and a member of the National Moot Court Team. He received his undergraduate education from Morningside College in Sioux City, Iowa.

After law school, Mr. Rector completed a judicial clerkship for Judge Floyd R. Gibson of the United States Court of Appeals for the Eighth Circuit. Thereafter, Mr. Rector was associated with a Washington, D.C. law firm where he practiced in the litigation department specializing in federal securities litigation, class actions and derivative actions.

David G. Ries

David G. Ries is a partner in the Pittsburgh, Pennsylvania, office of Thorp Reed & Armstrong, LLP, where he practices in the areas of environmental, commercial and technology litigation. He is a member of the Executive Committee of the Energy and Mineral Law Foundation and recently served two terms as a member and chair of a hearing committee for the Disciplinary Board of the Supreme Court of Pennsylvania. Dave received his B.A. from Boston College in 1971 and his J.D. from Boston College Law School in 1974 where he was a member of the *Boston College Industrial and Commercial Law Review*.

His environmental practice over the last 32 years has included a broad range of issues in federal and state courts and before administrative agencies, including CERCLA litigation, Clean Water Act litigation, solid and hazardous waste issues, Clean Air Act litigation, storage tank litigation, court and administrative challenges to regulatory programs and defense of penalty actions. His technology practice has included a variety of litigation matters, including major systems implementations, and advising clients on a number of technology law issues such as hardware and software agreements, domain name disputes, information security, privacy regulations, records management and electronic contracting.

Dave has frequently spoken on environmental, technology and ethics issues for legal, academic and professional groups including the EMLF, the American Bar Association, the Pennsylvania Bar Institute, the Allegheny County Bar Association, Carnegie Mellon University, Duquesne University, Robert Morris University, the University of Wisconsin-Madison, the University of Massachusetts-Amherst and the National Groundwater Association. He is a member of the ABA TECHSHOW Board and is scheduled to speak on “Information Security For Lawyers and Law Firms” and “Law and Technology: the Year in Review and the Year Ahead” at TECHSHOW in Chicago in April 2006. He is a contributing author to a new ABA book on information security for lawyers and is a member of the ABA Information Security Committee. He has spoken on legal ethics topics at several EMLF programs, including the last three Annual Institutes.

Nancy Snyder

Nancy M. Snyder has served in various capacities with Penn Virginia Corporation (NYSE: PVA), an oil and natural gas exploration and production company, since 1997, including as Senior Vice President since February 2003, as Vice President from December 2000 to February 2003 and as General Counsel and Corporate Secretary since 1997. Since its inception in 2001, Ms. Snyder has also served as a director as well as Vice President and General Counsel of Penn Virginia Resource Partners, L.P. (NYSE: PVR),

which is engaged in the coal land management and natural gas midstream businesses. From 1993 to 1997, Ms. Snyder was a solo practitioner representing clients generally in connection with mergers and acquisitions and general corporate matters. From 1990 to 1993, Ms. Snyder served as general counsel to Nan Duskin, Inc. and its affiliated companies, which were in the businesses of womens' retail fashion and real estate. From 1983 to 1989, Ms. Snyder was an associate at the law firm of Duane Morris LLP, where she practiced securities, banking and general corporate law.

Debra J. Villarreal

Debra Villarreal is a Senior Partner in the oil and gas department of Thompson & Knight L.L.P. in Dallas, Texas. She joined the firm in 1990 after graduating from the University of Kansas School of Law where she was a member of the Order of the Coif. Debra's practice includes the representation of oil and gas producers and operators in transactional matters. She also frequently represents lenders and borrowers in energy financing.

Debra is currently serving as Treasurer of the Energy Section of the Dallas Bar Association. She is a member of both the Rocky Mountain Mineral Law Foundation and the Energy & Mineral Law Foundation.

John M. Williams

John M. Williams is a native of Loyall in Harlan County, Kentucky, and a partner in Rajkovich, Williams, Kilpatrick & True, PLLC, in Lexington, Kentucky. John graduated from the University of Kentucky College of Business & Economics with a Bachelors of Business Administration (Finance) in 1984 and received his Juris Doctor from the University of Kentucky College of Law in 1987. He is a member of the Kentucky, Fayette County (Kentucky), American and Federal Bar Associations. He has held several officer positions with the Kentucky Chapter of the Federal Bar Association, including President in 2000.

John has extensive litigation experience in federal and state courts throughout Kentucky. He has recently worked with the Kentucky Coal Association's Health & Safety Committee in its review and commenting on Kentucky's recent mine safety legislation. Although his practice is primarily in mineral and energy and commercial litigation, John also has experience in personal injury, construction claims, and architect and engineer defense. His experience in mineral law includes litigation of contract disputes, boundary disputes and personal injury matters plus drafting and reviewing lease agreements, contract mining agreements and other transactions. In the commercial litigation area, John has also represented parties in business torts, lender liability and a wide variety of contract disputes.

John is on the Board of Directors of Special Olympics Kentucky, Inc., serving as its Board Chair for two years. He was also on the Board of the Lexington Children's Museum, Inc, for almost ten years, during which he served as Board Chair for five years.

In September of 2005, John, Marco Rajkovich, Melanie Kilpatrick and Noelle Holladay True formed the law firm of Rajkovich, Williams, Kilpatrick & True, PLLC, located in Lexington, Kentucky. Prior to that, he practiced in the Lexington office of Wyatt, Tarrant & Combs, LLP, for eighteen years.

Joseph J. Zaluski

Joseph J. Zaluski is Co-Chair of the Mineral & Energy Law Practice Group and Chair of the Regulatory Compliance Subgroup of the Firm's Environmental Law Practice Group. He is a former senior attorney for the Kentucky Natural Resources and Environmental Protection Cabinet where he was active in the drafting of the Kentucky Surface Mining statute and associated regulations, and major changes in regulations now enforced by the Kentucky Division of Water. In addition, he is active in CERCLA, TSCA and wetland practice. Mr. Zaluski has been an adjunct professor of environmental and mineral law at Chase Law School in Northern Kentucky; a contributing editor to the *Kentucky Coal Journal*; and has served as a guest lecturer at numerous environmental seminars. He is also a co-author of "The Kentucky Environmental Law Handbook," Government Institutes (1993); and has authored numerous articles on environmental and mineral practice. He is a member of the Coal Operators Association, the Energy & Mineral Law Foundation (President, Secretary, Executive Board, Trustee, Treasurer and past Chair of the Environmental Committee), the Kentucky Coal Association, and the National Mining Association. He served two terms as the Chairman of the Natural Resources Section of the Kentucky Bar Association, is a member of the Louisville, Franklin County and American Bar Associations, and has been named in the publication *Best Lawyers in America*. A graduate of Transylvania University in 1971 with majors in biology and psychology, Mr. Zaluski served on the University's Alumni Executive Board. He received his J.D. degree from the University of Kentucky in 1975.